

1 **BILL NO. G-93-10-17** (as amended)
2

3 **ORDINANCE NO. 9-31-93**

4 **AN ORDINANCE** repealing Section 33.100
5 through 33.104 of the City Code, and
6 creating a new Section 33.100 establishing
7 a City Utilities Citizen's Advisory
8 Committee.

9 **WHEREAS**, the Citizen's Advisory Committee for City Utilities as established by
10 Ordinance G-29-89 has ceased to meet; and

11
12 **WHEREAS**, the City of Fort Wayne recognizes the need to ensure efficiency and
13 identify/review cost-saving opportunities to benefit the citizens of Fort Wayne; and

14
15 **WHEREAS**, there is a need to examine whether privatization of all or some utility
16 functions would prove to be efficient and cost-effective for the citizens of Fort Wayne,

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18
19 **NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL**
20 **OF THE CITY OF FORT WAYNE, INDIANA:**

21
22 **SECTION 1.** That Sections 33.100 through 33.104 of the Fort Wayne City
23 Code are hereby repealed.

24
25
26 **SECTION 2. NEW COMMITTEE ESTABLISHED.** There is hereby created
27 a committee to be known as the "City Utilities Citizen's Advisory Committee"
28 (hereinafter referred to as "Committee").

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31 **SECTION 3. PURPOSE.** The purpose of the Committee is to identify and
32 review opportunities for efficiency and cost-savings, including privatization, of all or part
of the City of Fort Wayne utilities operations, and make recommendations on such

1 opportunities to the Mayor, the Board of Public Works, and the Common Council. The
2 Committee shall provide progress reports to the Mayor and Common Council on at
3 least a quarterly basis. A final report from said Committee shall be
4 submitted to the Common Council no later than September 1, 1994.
5

6 **SECTION 4. CONSULTANT SERVICES.** The Committee, with the
7 approval of the Board of Public Works and the Mayor, may utilize the services of an
8 independent consultant to review the operations of the City's utilities operations and
9 prepare a proposal for competitive bids for privatization. Any consultant employed for
10 this purpose shall not be eligible to bid on a contract for privatizing any of those utility
11 services.
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14 **SECTION 5. MEMBERSHIP/REQUIREMENTS.** The Committee shall
15 consist of seven (7) members. Four members shall be appointed by the Mayor of the
16 City of Fort Wayne. Three members shall be appointed by the Common Council of the
17 City of Fort Wayne which may include members of the Common Council. From its
18 membership, the Committee shall elect a Chairperson.
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21 **SECTION 6. LIMITATIONS.** The Committee exists solely to make
22 recommendations, and shall not have any authority to manage or direct operations of
23 the City Utilities Departments or Division.
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26 **SECTION 7. STAFFING.** Staff from the City's Division of Utilities and from the
27 Mayor's Office shall be assigned to serve as staff to the Committee, and shall provide
28 necessary technical and advisory assistance to the Committee to the extent possible.
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31 **SECTION 8.** That this ordinance shall be in full force and effect from and after
32 its passage and after approval by the Mayor, and any publication required by law, for
a period of two (2) years. After a period of two years, the Mayor and Common Council

1 shall review the ordinance and may authorize it for another period. If action to
2 reauthorize is not taken two years from the effective date of this ordinance, it will
3 expire.
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5
6 Sam J. Talarico
7 Council Member
8

9 APPROVED AS TO FORM AND LEGALITY
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11 J. Timothy McCaulay
12 J. Timothy McCaulay, City Attorney
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Read the first time in full and on motion by Jalisco, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on City of Fort Wayne (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 10-26-93

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by _____, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>8</u>			<u>1</u>
BRADBURY	<u>✓</u>			
EDMONDS				<u>✓</u>
GIAQUINTA	<u>✓</u>			
HENRY	<u>✓</u>			
LONG	<u>✓</u>			
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 11-9-93

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK
Mark C. Giaquinta

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. 2-31-93 on the 9th day of November, 1993

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK
Mark C. Giaquinta

Mark C. Giaquinta
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of November, 1993, at the hour of 2:00 o'clock P. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK
Mark C. Giaquinta

Approved and signed by me this 12th day of November, 1993, at the hour of 8:00 o'clock P. M., E.S.T.

PAUL HELMKE
PAUL HELMKE, MAYOR



Office of the Mayor

MEMORANDUM

Paul Helmke, Mayor

TO: Members of the City Council
FROM: Greg Purcell *GP* Chief of Staff
DATE: October 26, 1993
SUBJECT: City Utilities Citizen's Advisory Committee

9-93-10-17
(commented)

In December, 1989, the City Council adopted an ordinance creating the Citizens Advisory Committee for City Utilities. This group has not been active in some time; however, recent discussions with members of Council indicate that re-activating the committee may be a good way to explore options for privatizing all or parts of City Utilities.

The attached ordinance will repeal the original ordinance and create a 7-member committee. The purpose of the Committee will be to identify, review and make recommendations on opportunities for cost savings with the City's utilities operations, including privatization. The ordinance will also allow the Committee to utilize the services of a consultant to review utility operations and to prepare a proposal for competitive bids for privatization, but would exclude that consultant from bidding on a contract for privatization.

At it's initial meeting, we will ask the Committee to establish a schedule and make progress reports to the Mayor and the Council on at least a quarterly basis.

As always, should you have any questions regarding this proposed ordinance, feel free to call me at 427-1111.

GP/GB

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE Establishment of City Utilities Citizen's
Advisory Committee.

DEPARTMENT REQUESTING ORDINANCE Mayor's Office

SYNOPSIS OF ORDINANCE Ordinance establishes a citizen advisory
committee to review opportunities for efficiency and cost savings
(including privatization) of the City of Fort Wayne's utilities
operations.

EFFECT OF PASSAGE Committee will be established.

EFFECT OF NON-PASSAGE Committee will not be established.

MONEY INVOLVED (Direct Cost, Expenditures, Savings) n/a

ASSIGNED TO COMMITTEE _____

BILL NO. G-93-10-17 *As amended*

REPORT OF THE COMMITTEE ON
CITY UTILITIES
JANET G. BRADBURY - CHAIRPERSON
SAMUEL J. TALARICO - VICE CHAIRPERSON
RAVINE, HENRY

WE, YOUR COMMITTEE ON CITY UTILITIES TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) repealing Section 33.100
through 33.104 of the City Code, and creating a new Section
33.100 establishing a City Utilities Citizen's Advisory
Committee

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

DATED: *11-9-93*

Sandra E. Kennedy
City Clerk

1 opportunities to the Mayor, the Board of Public Works, and the Common Council. The
2 Committee shall provide progress reports to the Mayor and Common Council on at
3 least a quarterly basis.

4 *A final report from said committee shall*
5 *be submitted to the Common Council no later than Sept 1, 1994*

6 **SECTION 4. CONSULTANT SERVICES.** The Committee, with the
7 approval of the Board of Public Works and the Mayor, may utilize the services of an
8 independent consultant to review the operations of the City's utilities operations and
9 prepare a proposal for competitive bids for privatization. Any consultant employed for
10 this purpose shall not be eligible to bid on a contract for privatizing any of those utility
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27 Mayor's Office shall be assigned to serve as staff to the Committee, and shall provide
28 necessary technical and advisory assistance to the Committee to the extent possible.
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31 **SECTION 8.** That this ordinance shall be in full force and effect from and after
32 its passage and after approval by the Mayor, and any publication required by law, for
a period of two (2) years. After a period of two years, the Mayor and Common Council



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

November 16, 1993

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the dates of
November 19 and November 26, 1993, in both the News
Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. G-93-10-17 (as amended)
General Ordinance G-31-93
Citizen's Advisory Committee

Please send us 3 copies of the Publisher's Affidavit from
both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/ne
ENCL:1

LEGAL NOTICE

Notice is hereby given that on the 9th day of
November, 19 93, the Common Council of the City
of Fort Wayne, Indiana, in a Regular Session did pass
the following Bill No. G-93-10-17 (as amended) General
Ordinance No. G-31-93 to-wit:

BILL NO. G-93-10-17 (as amended)

ORDINANCE NO. G-31-93

AN ORDINANCE repealing Section 33.100
through 33.104 of the City Code, and
creating a new Section 33.100 establishing
a City Utilities Citizen's Advisory
Committee.

WHEREAS, the Citizen's Advisory Committee for City Utilities as established by
Ordinance G-29-89 has ceased to meet; and

WHEREAS, the City of Fort Wayne recognizes the need to ensure efficiency and
identify/review cost-saving opportunities to benefit the citizens of Fort Wayne; and

WHEREAS, there is a need to examine whether privatization of all or some utility
functions would prove to be efficient and cost-effective for the citizens of Fort Wayne,

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL
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1 opportunities to the Mayor, the Board of Public Works, and the Common Council. The
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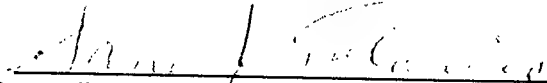
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1 shall review the ordinance and may authorize it for another period. If action to
2 reauthorize is not taken two years from the effective date of this ordinance, it will
3 expire.
4

5 Samuel J. Talarico

6 
7 Council Member

Read the third time in full and on motion by Bradbury, and
duly adopted, placed on its passage. PASSED by the following vote:

AYES: Eight

Bradbury, GiaQuinta, Henry, Long, Lunsey,
Ravine, Schmidt, Talarico

NAYS: None

ABSTAINED: None

ABSENT: One

Edmonds

DATED: 11-9-93

Sandra E. Kennedy
City Clerk by
Nadejda Eshcoff,
Deputy Clerk

Passed and adopted by the Common Council of the City of
Fort Wayne, Indiana, as General Ordinance No. G-31-93 on the
9th day of November, 1993

ATTEST:

SEAL

Sandra E. Kennedy
City Clerk by
Nadejda Eshcoff
Deputy Clerk

Mark E. GiaQuinta
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne,
Indiana, on the 10th day of November, 1993, at the hour of
2:00 o'clock P.M., E.S.T.

Sandra E. Kennedy,
City Clerk by
Nadejda Eshcoff
Deputy Clerk

Approved and signed by me this 12th day of November,
1993, at the hour of 8:00 o'clock A.M., E.S.T.

Paul Helmke
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify
that the above and foregoing is a full, true and complete copy of
_____ General _____ Ordinance No. _____ G-31-93 _____,
passed by the Common Council on the _____ 9th _____ day of
_____ November _____, 19 _____ 93 _____, and that said Ordinance was
duly signed and approved by the Mayor on the _____ 12th _____ day of
_____ November _____, 19 _____ 93 _____, and now remains on file and
on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne,
Indiana, this _____ 12th _____ day of _____ November _____, 19 _____ 93 _____.

Fw Common Council

(Governmental Unit)

To:

The Journal-Gazette

Dr.

ALLEN County, Indiana

P.O. Box 100

Fort Wayne, IN

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set) -- number of equivalent lines

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AN ORDINANCE repealing Section 33.100 through 33.104 of the City Code, and creating a new Section 33.100 establishing a City Utilities Citizen's Advisory Committee.

WHEREAS, the Citizen's Advisory Committee for City Utilities as established by Ordinance G-29-89 has ceased to meet; and

WHEREAS, the City of Fort Wayne recognizes the need to ensure efficiency and identify/review cost-saving opportunities to benefit the citizens of Fort Wayne; and

WHEREAS, there is a need to examine whether privatization of all or some utility functions would prove to be efficient and cost-effective for the citizens of Fort Wayne;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Sections 33.100 through 33.104 of the Fort Wayne City Code are hereby repealed.

SECTION 2. NEW COMMITTEE ESTABLISHED. There is hereby created a committee to be known as the City Utilities Citizen's Advisory Committee (hereinafter referred to as Committee).

SECTION 3. PURPOSE. The purpose of the Committee is to identify and review opportunities for efficiency and cost-savings, including privatization, of all or part of the City of Fort Wayne utilities operations, and make recommendations on such opportunities to the Mayor, the Board of Public Works, and the Common Council. The Committee shall provide progress reports to the Mayor and Common Council on at least a quarterly basis. A final report from said Committee shall be submitted to the Common Council no later than September 1, 1994.

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SECTION 8. That this ordinance shall be in full force and effect from and after its passage and after approval by the Mayor, and any publication required by law, for a period of two (2) years. After a period of two years, the Mayor and Common Council shall review the ordinance and may authorize it for another period. If action to reauthorize is not taken two years from the effective date of this ordinance, it will expire.

Samuel J. Talarico
Council Member

Read the third time in full and on motion by Bradbury, and duly adopted, placed on its passage.

PASSED by the following vote:

AYES: Eight

Bradbury, GiaQuinta, Henry, Long, Lunsey,
Ravine, Schmidt, Talarico

NAYS: None

ABSTAINED: None

ABSENT: One

Edmonds

DATED: 11-9-93

Sandra E. Kennedy
City Clerk by
Nadejda Eshcoff,
Deputy Clerk

Mark E. GiaQuinta
Presiding Officer

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-31-93 on the 9th day of November, 1993

ATTEST:

Sandra E. Kennedy
City Clerk by

Nadejda Eshcoff
Deputy Clerk

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of November, 1993, at the hour of 2:00 o'clock P.M., E.S.T.

Sandra E. Kennedy,
City Clerk by
Nadejda Eshcoff
Deputy Clerk

Approved and signed by me this 12th day of November, 1993, at the hour of 8:00 o'clock A.M., E.S.T.

Paul Helmke
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. passed by the Common Council on the 9th day of November, 1993, and that said Ordinance was duly signed and approved by the Mayor on the 12th day of November 1993, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 12th day of November, 1993

SANDRA E. KENNEDY, CITY CLERK by
Nadejda Eshcoff, Deputy Clerk
#836

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or allowing all just credits, and that no part of the

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Title:

Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Cindy Gillenwater who, being duly sworn, says that he/

she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time , the dates of publication being as follows:

11/19, 26/93

Subscribed and sworn to before me this 26th day of Nov, 19 93.

Notary Public

MARY L ADKISON

NOTARY PUBLIC STATE OF INDIANA

ALLEN COUNTY

My commission expires:

MY COMMISSION EXP JUNE 14, 1997

FW Common Council

(Governmental Unit)

ALLEN

County, Indiana

To:

The News-Sentinel

Dr.

P.O. Box 100

Fort Wayne, IN

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Samuel J. Talarico
Council Member

Read the third time in full and on motion by Bradbury, and duly adopted, placed on its passage.

PASSED by the following vote:

AYES: Eight
Bradbury, GiaQuinta, Henry, Long, Lunsey,
Ravine, Schmidt, Talarico

NAYS: None
ABSTAINED: None

ABSENT: One
Edmonds

DATED: 11-9-93

Sandra E. Kennedy
City Clerk by
Nadejda Eshcoff,
Deputy Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-31-93 on the 9th day of November, 1993

ATTEST:

Sandra E. Kennedy
City Clerk by
Nadejda Eshcoff
Deputy Clerk

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of November, 1993, at the hour of 2:00 o'clock P.M., E.S.T.

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Nadejda Eshcoff
Deputy Clerk

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I, The Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. passed by the Common Council on the 9th day of November, 1993, and that said Ordinance was duly signed and approved by the Mayor on the 12th day of November 1993, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 12th day of November, 1993

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notice

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Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Cindy Gillenwater who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time, the dates of publication being as follows:

11/19, 26/93

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Notary Public

MARY L ADKISON

NOTARY PUBLIC STATE OF INDIANA

ALLEN COUNTY

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(Governmental Unit)

To:

The Journal-Gazette

Dr.

P.O. Box 100

Fort Wayne, IN

ALLEN County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

126 lines, 1 columns wide equals 126 equivalent lines
at .495 cents per line

\$ 62.37

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 63.37

DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 2

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: Nov 26, 19 93

Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Cindy Gillenwater who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time, the dates of publication being as follows:

11/19, 26/93

Subscribed and sworn to before me this 26th day of Nov, 19 93.

Notary Public

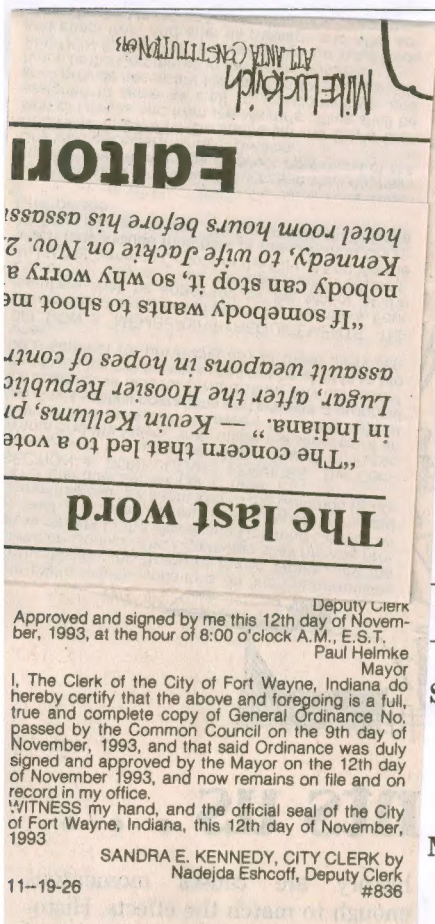
MARY L ADKISON

NOTARY PUBLIC STATE OF INDIANA

ALLEN COUNTY

My commission expires:

MY COMMISSION EXP JUNE 14, 1997



FW Common Council
(Governmental Unit)
ALLEN
County, Indiana

To: The News-Sentinel
P.O. Box 100
Fort Wayne, IN
Dr.

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Editorial

Mike Lickich

Atlanta Constitution

hotel room hours before his assassin Kennedy, to wife Jackie on Nov. 2. nobody can stop it, so why worry about assault weapons in hopes of controlling the situation? — Kevin Kellums, publisher of the Hoosier Republic in Indiana.

The last word

Nadejda Eshcoff
Deputy Clerk

Approved and signed by me this 12th day of November, 1993, at the hour of 8:00 o'clock A.M., E.S.T.
Paul Helmke
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. passed by the Common Council on the 9th day of November, 1993, and that said Ordinance was duly signed and approved by the Mayor on the 12th day of November 1993, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 12th day of November, 1993

SANDRA E. KENNEDY, CITY CLERK by
Nadejda Eshcoff, Deputy Clerk #836

11-19-26